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REMARKS

Claims 1 to 33 are pending in the application. Claims 1, 10, 18, and 25 are independent claims.

Claims 1 to 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent Application No. 1,126,356 ("Hashimoto") in view of U.S. Patent No. 5,987,572 ("Weidner") and U.S. Patent No. 6,996,725 ("Ma").

In response, independent claim 1 has been amended to include at least one limitation not described or rendered obvious by any combination of Hashimoto, Weidner, and/or Ma. Specifically, the limitations referring to the execution of a first instruction and a second instruction are not disclosed or rendered obvious by Hashimoto, Weidner, and/or Ma. Specifically, claim 1 of the present invention refers to a first instruction the execution of which causes the processor to read encoded private-state data from a location in storage, and a second instruction the execution of which causes the processor to read the encoded private-state data, decode the encoded private-state data, and store the decoded private-state data in the processor to recover the state of the processor. In contrast, Ma describes encrypting and decrypting instructions, not private-state data. None of the references disclose or suggest an instruction the execution of which causes the processor to read encoded private-state data, decode the encoded private-state data, and store the decoded private-state data in a processor to recover the state of the processor.

Claims 10 to 33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hashimoto in view of Weidner. In response, it is argued that the examiner has not presented a prima facie case of obviousness, because there is no suggestion or motivation to modify or combine the cited references. The examiner has responded to this argument by saying that it would be obvious to combine the references to enhance system security by protecting state data from analysis. However, any combination of the references that would result in the present invention would do exactly

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the opposite, because it would provide a way for software to read private-state data, in contrast to protecting it from analysis.

Specifically, the examiner argues that it would have been obvious to employ the method of Weidner within the Hashimoto method to enhance security of the system. However, the examiner cites Weidner as disclosing reading by software the private-state data of a processor. Providing a way for software to read the private-state data of the processor of Hashimoto does not enhance the security of the system of Hashimoto. The system of Hashimoto is more secure if there is no way for software to read the private-state data of the processor. Neither Hashimoto nor Weidner suggest any reason for software to read the private-state data of the processor of Hashimoto. Hashimoto teaches against providing for software to read the private-state data of the processor by describing his techniques as protecting state data from analysis (see, e.g., paragraph 26 of Hashimoto).

Therefore, the combination of Hashimoto and Weidner is improper and cannot be used to render any of claims 10 to 33 obvious, so the withdrawal of the rejection of these claims is respectfully requested.

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CONCLUSION

Based on the foregoing, it is respectfully submitted that the rejections of claims 1 to 33 have been overcome, and that claims 1 to 33 are in condition for allowance. The applicant therefore respectfully requests the issuance of a Notice of Allowance. Please charge any necessary fees, including extension fees, to our Deposit Account No. 50-0221.

Respectfully submitted,

Date: October 19, 2010

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